

FRANKLIN CITY COUNCIL  
FEBRUARY 6, 2017

Members of the Franklin City Council met in regular session on Monday, February 6, 2017 at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Brent Centers	present
Paul Ruppert	present
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Debbie Fouts	present
Todd Hall	present

There were two members of the press (Franklin Chronicle & Middletown Journal) and 8 visitors at tonight's meeting. Also present: Mr. Jonathan Westendorf, Fire & EMS Chief; Ms. Donnette Fisher, Law Director; Mrs. Karen Ervin, Finance Director; Mr. Russ Whitman, Police Chief; Mr. Ross Coulton, Assistant Safety Director; Mr. Barry Conway, City Engineer; Mr. Steve Inman, Public Works Director; Mrs. Myra Haney, Administrative Assistant; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Mayor Centers.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the January 21, 2017 regular meeting; seconded by Mr. Aldridge. The vote:

Mr. Ruppert	yes
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed.

#### RECEPTION OF VISITORS

Sharon Cowdrey, Springboro, stated she owns a property in the City and has had a problem with vandalism, etc. The property is located at 8 Highridge Court, a duplex. The renter destroyed the house & yard. She received letters from the City for being in violation of the Property Maintenance Code; went to Court & received a judgement against the renter; and in September she got a dumpster so she could clean-up the house. She continued that the City mowed the grass and that she didn't receive a notice that the City was going to mow. Also, \$400+ was assessed by the City for cutting the grass and she didn't receive notice from the City about this charge. She continued she has talked to several City employees and the only response she received was that the grass was cut by the City – when & where was it cut? She added that the cost was put on her taxes - its \$5,000 more than it should be; she spent \$8,000 on house repairs and she can't afford it.

Mayor Centers explained that we hire NIC to do our inspections and they do allow a grace period for mowing. A sign is put in the grass and also there was a mailing to you. We want you to take care of it – if we do, the City has to recoup our money.

Mr. Lewis stated that the property was posted in July and a certified letter was sent 7/20/16. Under our process only 1 notice is mailed and if the grass gets high again, we cut it without further notice. On 9/9/16 there was a notice from NIC to mow and on 9/15/16 the City mowed it. Also, there is a \$200 administration fee. Mr. Lewis explained the process and we have pictures of the grass that was over 11" high. Ms. Cowdrey stated she asked for the pictures but never received them. Mr. Lewis will send them to her.

Mr. Bray explained how the process works – it's the resident's responsibility to mow – need to check your property.

Discussion continued on the City not mowing all the yard; she had problems with the renters; and she also had problems with the Police Department. Mr. Lewis stated that a certified letter was sent to her on 7/20/16. Mr. Bray asked if she had signed for it; she had. Mr. Lewis showed her the pictures that he had and she responded that the pictures could be of anyone's yard.

Mayor Centers stated that's our process and if she had any other questions, to contact Mr. Inman or the City Manager.

**PUBLIC HEARING ORDINANCE 2017-01 AMENDING CHAPTER 1103. AND SECTIONS 1107.05 AND 1113.01 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE**

Mr. Lewis stated that this ordinance makes three changes to the UDO: 1) Chapter 1103 Definitions, is being amended to add a definition for "Alcohol and Drug Addiction Treatment Facilities" and "Health Care and Human Services" definition is amended to exclude Alcohol and Drug Addiction Treatment Facilities; 2) Section 1107.05, Table 11, is amended to add Alcohol and Drug Addiction Treatment Facilities as a conditional use in I-1 (Light Industrial) and I-2 (General Industrial) Districts; and 3) Section 1113.01, Conditional Uses, is amended to add the standards for approval for an Alcohol and Drug Addiction Treatment Facilities conditional use. Mr. Lewis added that this has been to the Economic Development Council Committee and to Planning Commission.

Mr. Lewis continued that we have been approached by a group that does clinical & rehab services – a clinical inpatient facility. These facilities are now being put in industrial areas, not residential areas anymore, can't tell what they are and it's not a half-way house. This may be an instrument for the Police and Drug Court to use. Also, he has talked with the Court Magistrate and he thinks it's a great idea and facility. This has been discussed with the Economic Development Council Committee and they recommend these amendments. Also, the Planning Commission has voted to recommend these amendments.

Mr. Bray asked how many rooms will there be. Mr. Lewis stated 16, for men only. This facility will be the first in Warren County.

Mr. B. Centers stated that it's not specific to Franklin, it is for the County. At first he was hesitant, but now he feels this would be good to do. People, from the City and from outside of Franklin, need to have a place to go, and the facility will have no effect on crime (they said).

Mrs. Fouts asked where it's being located. Mr. Lewis stated they have looked, but not finalized, in the Industrial Park. Mr. B. Centers stated that it won't affect any residents or the businesses. There are no signs and the patients will have escorts if they leave. Mr. Lewis stated the potential company has other facilities and you wouldn't know what it is. Mrs. Fouts added her concerns are when they are released – think it's risky.

Mayor Centers added it is a professional program, not a half-way house.

Mr. Aldridge stated it is a conditional use and that can be revoked if they don't meet the conditions of a clinical treatment facility.

Mr. Bray stated he's leery of this.

Mrs. Fouts asked if there's any way to check reports from them. Mr. Lewis will get.

Mr. B. Centers stated they have multiple facilities – successful rate – also had concerns and they sold the ED Committee on their plans.

Mr. Ruppert stated this is volunteer – the patients want to get help.

Mrs. Fouts added we need a way to police it.

Mr. Aldridge stated his concern was pulling into work and seeing them outside etc. – doesn't appear to be that way.

Ms. Fisher explained they are State certified, so we know there will be State oversight.

Mayor Centers stated he attended Lebanon Court recently – not all 'bad' people as there are those that are addicted to pain killers, etc. and he was impressed by the facility.

Mr. Aldridge stated if this helps, he's for it.

Mr. Lewis stated he wants Council to feel safe about this, think it's a good thing for our community, if not, we'll come back to pull the conditional use permit.

Mayor Centers opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing.

Mr. B. Center made the motion to adopt Ordinance 2017-01; seconded by Mr. Ruppert. The vote:

Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes

Motion passed.

#### RESOLUTION 2017-10 DECLARING THE NECESSITY OF CONSTRUCTING OR REPAIRING SIDEWALKS, CURBS OR GUTTERS (ANNUAL SIDEWALK REPAIR PROGRAM PHASE 2)

Mr. Lewis stated that this is for Phase 2 of the sidewalk repair program and is the same process as last year. We are marking sidewalks now; residents will have until May 31, 2017, to make repairs and if they don't, then the repairs will be done by the City. Mr. Lewis explained the process.

Mr. Bray made the motion to adopt Resolution 2017-10; seconded by Mr. Aldridge. The vote:

Mayor Centers yes  
Mr. Aldridge yes  
Mrs. Fouts yes  
Mr. Hall yes  
Mr. B. Centers yes  
Mr. Ruppert yes  
Mr. Bray yes

Motion passed.

#### RESOLUTION 2017-11 APPOINTING MYRA HANEY AS ACTING CITY CLERK

Mr. Lewis stated this makes the Acting City Clerk a City employee. The current Acting City Clerk isn't a City employee and he feels it should be.

Mr. Hall made the motion to adopt Resolution 2017-11; seconded by Mrs. Fouts. The vote:

Mr. Aldridge yes  
Mrs. Fouts yes  
Mr. Hall yes  
Mr. B. Centers yes  
Mr. Ruppert yes  
Mr. Bray yes  
Mayor Centers yes

Motion passed.

#### CITY MANAGER'S REPORT

Mr. Lewis had no report tonight.

#### COUNCIL COMMENTS

Mr. Hall stated that the Community Pool Study Committee has been meeting and we're looking at about \$30,000 of repairs (our share) for the pool (for aesthetic repairs). We are waiting to hear from the Township if they are going to pay their share. After these repairs, we will talk about the bigger repairs. There will be no concrete repairs at this time. Mayor Centers asked if this will come back to Council for approval. Mr. Lewis stated it will be in the permanent budget. Mr. Hall continued that the comments from Ms. Cowdrey (Reception of Visitors) ticked him off – her facts weren't consistent – people need to keep their properties up and to look at who they're renting to.

Mrs. Fouts stated she sent information and pictures about a property at Millard/Martha Drive. Mr. Lewis stated he received it, looked at the property, and didn't go onto the property. If the truck (in the back) is moved to the street, we will contact the Police Department. Mrs. Fouts stated she felt the process should have been started long before this. Mrs. Fouts stated that at Beam/Millard, a truck is parked with a flat tire, been there a long time. We hire NIC and they don't see these things.

Mr. Aldridge thanked everyone for coming tonight and thanks to Drew for coming. The lighting on the lion looks good (Mr. Inman stated materials have been ordered to do all 4 lions). The property behind Ruppert Court, that has been sold is in the City limits – sounds like there's a lot of shooting going on at that property – would like to have it checked and let them know they can't shoot in the City.

Mr. B. Centers thanked Mr. Inman, Mr. Conway and Mr. Lewis for the thorough information provided on the compliant received tonight.

Mr. Ruppert stated he's received many comments about the City decorations at Christmas – thanks to all.

Mr. Bray had no comments tonight.

Mrs. Fouts stated she just received a text – they are watching us live on Facebook now. Mr. Faulkner acknowledged that he is streaming the meeting on Facebook.

Mayor Centers stated we had a presentation at the Economic Development Council Committee tonight. We continue to work on downtown and are making progress. Also, lighting the lions will look nice.

Mr. Hall made the motion to adjourn; seconded by Mrs. Fouts. The vote:

Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes

Motion passed.

Mayor Centers adjourned the meeting at 6:58 p.m.

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Mayor

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Clerk of Council